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DATE MAILED: 07/16/2004

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 09/763,499 08/27/2001 IN99/00026 Namita Surolia 8616 7590 07/16/2004 EXAMINER Monica R Gerber WEDDINGTON, KEVIN E Choate Hall & Stewart ART UNIT Exchange Place 53 PAPER NUMBER Boston, MA 02109 1614

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  The MALLING DATE OF THIS COMMUNICATION.  If the period for reply aperlind above is less than thirty (30) days, a reply within the statutiony minimum of thirty (30) days will be considered timely.  If the period for reply aperlind above is less than thirty (30) days, a reply within the statutiony minimum of thirty (30) days will be considered timely.  If the period for reply aperlind above is less than thirty (30) days, a reply within the statutiony minimum of thirty (30) days will be considered timely.  If the period for reply aperlind above, the remaining date of the statution of thirty (30) days will be considered timely.  If the period for reply aperlind above, the remaining date of the communication.  Any reply received by the Office later than these months after the mailing date of this communication, even if timely filed, may reduce any search of the communication and the period of the communication, even if timely filed, may reduce any search of the communication and the period of the communication, even if timely filed, may reduce any search of the communication and the period of the communication, even if timely filed, may reduce any search of the communication and the period of the period		Application No.	Applicant(s)	
Revin E. Weddington   1914		09/763,499	SUROLIA, NAMITA	
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION  after SIX (8) MONTHS from the mailing date of this communication.  If the period reply specified above is less than 147 (80) days, a reply within the datatory minimum of thirty (50) days will be comidered timely.  If the period reply specified above is less than 147 (80) days, a reply within the datatory minimum of thirty (50) days will be comidered timely.  If the period reply specified above is less than 147 (80) days, a reply within the datatory minimum of thirty (50) days will be comidered timely.  If the period reply specified above is less than 147 (80) days, and the communication.  Fallows to reply within the set or observed point of reply will, by attailed, cause the application to become ABANDNIED (50 U.S. 6 13.3).  Any reply received by the Office date than three monition after the mailing date of this communication, even if timely filled, may reduce any amond patient term adjustment. See 37 CFR 1.704(9).  Status  1)		Kevin E. Weddington	1614	
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be surplished under the provisions of 37 CFR 1.136(a). In no event, however, may a roply be timely filed offer 3R (6) MoNHS from the mailing date of this communication.  Failure to reply is pellical above, the maximum adulatory princip willing the saturacy minimum of thisty (20) days will be considered timely.  Failure to reply within the set or extended period for reply by application to become ARAHOCHED (39 U.S. \$ 133).  Failure to reply within the set or extended period for reply will be the saturacy and pellication to become ARAHOCHED (39 U.S. \$ 133).  Failure to reply within the set or extended period for reply will. By adulate, cause the application to become ARAHOCHED (39 U.S. \$ 133).  Failure to reply within the set or extended period for reply will. By adulate, cause the application to become ARAHOCHED (39 U.S. \$ 133).  Failure to reply within the set or extended period for reply will be application.  Failure to reply will be set of the communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply will be set of this communication.  Failure to reply set of this period to be set of this communication.  Failure to reply set of this period	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply			
1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any			
2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 7-13.15.16.19.20 and 36-50 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are rejected.  7) Claim(s) is/are rejected.  7) Claim(s) is/are rejected.  7) Claim(s) 7-13.15.16.19.20 and 36-50 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received in Application No.  2. Ceptia copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of Preferences Cited (PTO-952)  3) Notice of Oreftspersons Patent Drawing Review (PTO-948)  3) Information Disclosure Externent(s) (PTO-152)	Status			
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## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 7, 9-16 and 43 are drawn to an antimalarial composition comprising an inhibitor of fatty acid syntheses, classified in class 514, subclasses 721 and 895.
- II. Claims 8 and 44-49 are drawn to an antimalarial composition comprising an inhibitor of fatty acid synthesis and one or more known antimalarials, classified in class 514, subclasses 721 and 895.
- III. Claims 19 and 20 are drawn to an antimalarial drug target, classified in class 435, various subclasses.
- IV. Claims 36-42 are drawn to compounds, classified in class 562, various subclasses.
- V. Claim 50 is drawn to a composition comprising triclosan and cerulenin, classified in class 514, subclass 721.

The five inventions are independent and distinct, each from the other as they have acquired a separate status in the art as shown by their different classification and separate subject matter for inventive effort. Further, a reference, which anticipates any one of the above inventions, would neither anticipate nor make obvious of the other inventions. Each such invention is capable of supporting its own patent. For these reasons, the restriction requirement is proper

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To be complete, applicants' response must include a provisional election even though the requirement may be traverse.

The applicants are required to elect a single invention for examination purposes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin E. Weddington whose telephone number is (571) 272-0587. The examiner can normally be reached on 11:00 am-7: 30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on (571) 272-0953. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin E. Weddington Primary Examiner Art Unit 1614

K. Weddington July 13, 2004